

17 May 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Noncompetitive Appointment of Agency Employees to  
Positions in the Competitive Service

1. Mr. Harold Leich of the Civil Service Commission telephoned me in my absence on 14 May 1971 and I returned his call this morning.

2. Mr. Leich said that following our meeting last month, he and others at the Commission had reviewed the work done with the Department of State in connection with the Executive Order of 1968. The essence of his comment was that he and other Commission representatives were sufficiently familiar with the workings of the Foreign Service personnel system to be satisfied that it met the requirements of a merit system. Also CSC attorneys felt that the Commission lacked sufficient authority to waive Veteran's Preference. Therefore, the Commission initiated action to obtain the Executive Order. "However, in your case we don't have the kind of information about your system - -" which would allow Commission representatives to proceed in the same fashion. "In your case, therefore - -" your Agency should initiate action through OMB for an Executive Order with prior understanding that the CSC not object to such an order.

3. Mr. Leich said that he had forwarded a memo for approval by the Civil Service Commissioners which would record their agreement to such action. He said he thought it best to have such an agreement on record rather than to rely on oral statements. He said he would call me again as soon as he had the Commissioners' approval and expressed hope that it would not take long.

4. Mr. Leich and I agreed that this Agency should take no further action pending his receipt of approval by the Commissioners. Mr. Leich suggested that our people could be working on the appropriate wording of an Executive Order in the meantime.

5. I thanked Mr. Leich for his help and said I would await further word from him.

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Chief, Review Staff

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